<u>R E M A R K S</u>

Claims 1-22 are pending. Re-examination and reconsideration are requested.

In the office action, paper number (unspecified), dated July 14, 2005, (referred to hereinafter as "office action") the examiner rejected claims 1-11, 14-17, and 20-22 under 35 U.S.C. §102(e) as being anticipated by Zhang et al., U.S. Patent No. 6,784,944 (Zhang). The examiner objected to claims 12, 13, 18, and 19 as being dependent upon a rejected base claim, but indicated that they would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

<u>Re the Anticipation Rejections</u>:

The examiner rejected claims 1-11, 14-17, and 20-22 under Section 102(e) as being anticipated by Zhang. These rejections are improper in that Zhang fails to meet at least the limitations of independent claims 1, 21, and 22 that involve using the image data for the first type of noise region to locate a second type of noise region. Therefore, none of the pending claims is anticipated by Zhang.

Method claim 1 of the present invention involves obtaining image data for a first type of noise region in a digital image and then **using** the image data for the first type of noise region to **locate** a second type of noise region in the digital image. Nowhere does Zhang disclose using the image data for the first noise region to locate a second noise region, as required by pending claim 1. Therefore, Zhang cannot anticipate method claim 1.

In rejecting claim 1, the examiner asserts that using the image data for the first type of noise region to locate a second type of noise region is met by Zhang in regard to the small mask 610 and the large mask 210 illustrated in Figure 6 of Zhang. However, nowhere does Zhang disclose an arrangement wherein image data from the first noise region is used to locate the second

noise region. To the contrary, the large and small masks in Zhang are used as a part of a gaussian noise filtering process in which tagged pixels found by salt and pepper noise tagging unit 420 are used to remove salt and pepper noise prior to edge detection. See, for example, Zhang at col. 4, lines 62-67.

More specifically, Zhang uses the large and small masks in performing edge detection. For example, Zhang states in col. 5, lines 36-38 that "if no edge is detected in small mask 610, edge detection is performed on the pixels of large mask 210." Zhang goes on to state that "if an edge is detected in large mask 210, a mean filter of small mask 610 is applied to pixel P..." See col. 5, lines 38-40. However, this is not the same as "**using** image data for a first type of noise region **to locate** a second type of noise region," as required by claim 1.

The examiner's rejections also fail to show identity between the teachings of Zhang and the requirements of claim 1. For example, in rejecting claim 1, the examiner states that Zhang's "small mask 610 is used for determining the first type of noise region" and that Zhang's "large mask 210 I [sic, is] used for determining the second type of noise region." See page 3 of the Office Action. However, even if Zhang's small mask in fact determines a first type of noise region (which it does not), Zhang's small mask does not "locate" the large mask.

Because Zhang does not use image data for a first type of noise region to locate a second type of noise region, as required by claim 1, Zhang cannot anticipate claim 1. It follows, then, that claim 1, and the claims depending therefrom (i.e., claims 2-20) are allowable over Zhang.

Independent claim 21 is not anticipated by Zhang in that Zhang does not disclose program code "for using said image data for said first type of noise region to locate a second type of noise region. . ." as required by claim 21. As discussed above, and contrary to the examiner's assertions, Zhang does not use image data for a first noise region to locate a second type of noise region. Instead, Zhang simply uses both his large and
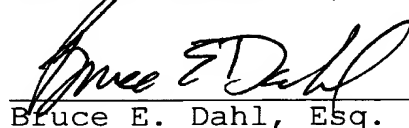
small masks in his edge detection process.   See, for example, Zhang at col. 5, lines 36-40.   Because Zhang does not disclose at least this limitation of claim 21, Zhang cannot anticipate claim 21.

Independent claim 22 is also not anticipated by Zhang because Zhang fails to disclose "means for using said image data for said first type of noise region to locate a second type of noise region. . ." as required by claim 21.   In his rejections, the examiner asserts that Zhang's small and large masks meet this limitation.   However, and as described above with regard to the rejections of claim 1, Zhang's small and large masks are used in his edge detection process.   Nowhere does Zhang describe a means for using image data from a first region to locate a second type of noise region.   Consequently, Zhang cannot anticipate claim 22.

Applicant believes that all of the claims pending in this patent application are allowable and that all other issues raised by the examiner have been rectified.   Therefore, applicant respectfully requests the examiner to reconsider the rejections and to grant an early allowance.   If any questions or issues remain to be resolved, the examiner is requested to contact the applicant's attorney at the telephone number listed below.

Respectfully submitted,

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